

**IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF DELAWARE**

JOHN DOHERTY,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 04-370-SLR
	:	
STATE OF DELAWARE,	:	
DEPARTMENT OF CORRECTION,	:	
NOREEN RENARD, JOSEPH	:	
PAESANI, JAMES LUPINETTI,	:	
MICHAEL TIGUE, and ROBERT I.	:	
GEORGE, JR.,	:	
	:	
Defendants.	:	

**MOTION FOR SUMMARY JUDGMENT**

Defendants hereby move the Court for the entry of judgment in their favor and against the plaintiff pursuant to Fed.R.Civ.P. Rule 56(b) for the reasons set out in the accompanying briefs.

**STATE OF DELAWARE  
Department of Justice**

/s/ Marc P. Niedzielski  
Marc P. Niedzielski (# 2616)  
Deputy Attorney General  
820 N. French Street, 6<sup>th</sup> Floor  
Wilmington, DE 19801  
(302) 577-8400

**DATED: July 26, 2005**

**IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF DELAWARE**

JOHN DOHERTY,	:	
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Plaintiff,	:	
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v.	:	C.A. No. 04-370-SLR
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STATE OF DELAWARE,	:	
DEPARTMENT OF CORRECTION,	:	
NOREEN RENARD, JOSEPH	:	
PAESANI, JAMES LUPINETTI,	:	
MICHAEL TIGUE, and ROBERT I.	:	
GEORGE, JR.,	:	
	:	
Defendants.	:	

**O R D E R**

WHEREAS, defendants have moved for summary judgment pursuant to Rule 56(b); and,

WHEREAS, the Court has reviewed the papers filed in connection with the matter and/or heard from counsel.

**IT IS SO ORDERED this      day of                  , 2005**

that defendants' motion is GRANTED and the clerk is directed to enter a JUDGMENT in favor of defendants and against the plaintiff.

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Chief Judge, U.S. District Court

**CERTIFICATE OF SERVICE**

I certify that on the date indicated that on July 26, 2005, I electronically served the attached Motion for Summary Judgment on the following:

Richard R. Wier, Jr., Esquire  
Daniel W. Scialpi, Esquire  
1220 Market Street, Suite 600  
Wilmington, DE 19801

/s/ Marc P. Niedzielski  
Marc P. Niedzielski (# 2616)  
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